

No. 13. The Clerk will read the amendment.

READING CLERK: Amendment No. 13 to Committee Recommendations LB-1, LB-2, LB-3 as amended by Report S&D-16, by Delegates Lord, Byrnes, Carson, Abramson, Adkins, Barrick, Baumann, Blair, Bothe, Boyer, Buzzell, Cardin, Case, Ciccone, Dabrowski, Darby, Della, Dorsey, Dulany, Eckenrode, Finch, Frederick, Gilchrist, Hickman, Hostetter, Hutchinson, James, Jett, Johnson, Kahl, Kirkland, Mason, Murphy, Peters, Ritter, Rollins, Rosenstock, Rush, Rybczynski, Singer, Soul, Stern, Storm, Sybert, Vecera, Webb, Weidemeyer, Wheatley, and Willis.

On page 2, section 3.03, Composition of the General Assembly, strike out all of lines 1 through 5, inclusive, and insert in lieu thereof the following: "‘gates. One Senator shall be elected from each senate district. Three delegates shall be elected within each senate district, either from single-member or multi-member delegate districts, or a combination thereof, as provided by the redistricting plan.’"

THE PRESIDENT: The amendment is submitted by Delegate Lord and seconded by the co-sponsors.

Before we start debate, just a moment.

There is some little confusion in the record. Will you please mark the amendment as Amendment No. 14 rather than 13?

This is a period of controlled debate, twenty minutes controlled by Delegate Lord and 20 minutes by Delegate Gallagher, 10 minutes uncontrolled. The usual rule is applicable.

Delegate Lord.

DELEGATE LORD: Mr. President and fellow delegates, I will speak for a few minutes to this amendment and then we will recognize three other speakers to round out the 20 minutes of controlled debate. I would like to begin by reading a quotation from the original Constitution of Maryland, the 1776 Constitution, where it said, "All free men so qualified shall on the first Monday of October, 1776, elect viva voce four delegates for their respective counties of the most wise, sensible, and discreet of the people."

All three constitutions that have succeeded it have established multi-member districts for each county specifying the number. It was not until 1966 that the State of Maryland had its first single member district. Maryland now has eight. I refer to this history only to show that these

constitutions have been in error in that they attempted to freeze one solution into the constitution and then resorted to the judiciary in order to straighten the situation out.

I submit that the Legislative Branch Committee is making exactly the same error. They tell us there is only one good solution and that is single-member districts, and it is so good that it must be enshrined in the constitution. I think it is unwise and we must look to the evidence that they cite to this body in order to justify their conclusion.

Now, the first evidence is a chart which shows the other twelve states that have elected to try this single-member district solution in their lower houses exclusively. Of these twelve states, certainly five of them are not analogous to Maryland at all. They are Colorado, Kansas, Delaware, Rhode Island, and Utah. The fact that that is not stated by the majority or the Committee on the Legislative Branch is that there are thirty-one states that use a mixed system of districting — that is, a mixed system of single-member districts and multi-member districts — in composing their lower house. This is precisely what the amendment that is before you would do, and we ask your earnest consideration of it.

I read in a recent letter from the National Municipal League dated December 26, 1967, addressed to me, "The preference for mixing single member and multi-member districts within the same chamber has shown marked preference in the lower houses where thirty-four of the thirty-nine districts are so elected."

Also with reference to those twelve states, several of them do not require in their constitution that single-member districts be mandated in the lower house. It is only done by statute, so the small effect of twelve states is further minimized by this qualification. The Committee has presented to this body no testimony of how the system has worked in these twelve states. It has written numerous memoranda and has submitted exhibits to this Convention. None of them refers to the experience that other states have enjoyed or not enjoyed under single-member districts.

It is my understanding that no testimony was taken in the Committee. We do not even have the benefit of what the Judicial Branch Committee gave us which was a long distance telephone call to a state that had experience in this area. The only state that was referred to by Chairman Galla-